

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/559,372

Filing Date

December 6, 2005

First Named Inventor

Robert Price et al.

Art Unit

3743

Examiner Name

TBA

Attorney Docket Number

105699

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

1 - Letter to Patent Office (1 page)

2 - Executed Oath/Declaration (4 pages)

**Remarks**

This 371 Patent Application was filed 12/6/2005 without the Declaration. No Missing Requirement has been received. Applicants are submitting their executed Declaration.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Polsinelli Shalton Welte Suelthaus PC

Signature

Printed name

Brian B. Diekhoff

Date

November 28, 2006

Reg. No.

46353

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

M. Sue Clements

Date

November 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 65

### Complete if Known

Application Number 10/559,372  
Filing Date December 6, 2005  
First Named Inventor Robert Price et al.  
Examiner Name TBA  
Art Unit 3743  
Attorney Docket No. 105699

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-1662 Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

**Multiple Dependent Claims**  
Fee (\$) Fee Paid (\$)

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = / 50 = (round up to a whole number) x = Fee Paid (\$)

#### 4. OTHER FEE(S)

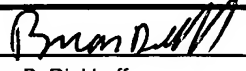
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late filing surcharge

Fees Paid (\$)

65

#### SUBMITTED BY

Signature  Registration No. 46353 Telephone 314-889-8000  
Name (Print/Type) Brian B. Diekhoff Date 11-28-2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	Robert Price et al.	Art Unit	3743
Serial No.:	10/559,372	Examiner:	TBA
Filed:	December 6, 2005	Conf. No.	TBA
For:	DELIVERY DEVICE FOR A POWDER AEROSOL		

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER TO THE PATENT OFFICE REGARDING DECLARATION**

SIR:

Pursuant to 35 U.S.C. 371, the above-referenced Patent Application was filed December 6, 2005. No filing receipt or Notice of Missing Requirements have been received by Applicants. Applicants' respectfully enclose an executed Declaration and request it be made of record herein.


The Commissioner is hereby authorized to charge the Late Filing Surcharge of \$65.00 and any other fees associated with this paper, or credit any overpayments, to Deposit Account No. 50-1662.

11/30/2006 LLANDGRA 00000015 501662 10559372  
01 FC:2617 65.00 DA

Respectfully submitted,

POLSINELLI SHALTON WELTE SUELTHAUS PC

Date: November 28, 2006

  
\_\_\_\_\_  
Brian B. Diekhoff, Reg. No. 46,353  
100 South Fourth Street, Suite 1100  
St. Louis, Missouri 63102  
Tel: (314) 889-8000  
Fax: (314) 231-1776  
Attorney for Applicants

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			<b>Matter No.</b>	
Applicant(s): Robert Price et al.			<b>105699</b>	
<b>Serial No.</b>	<b>Filing Date</b>	<b>Examiner</b>	<b>Art Unit</b>	<b>Confirmation No.</b>
10/559,372	December 6, 2005	TBA	3743	TBA


**Invention:** DELIVERY DEVICE FOR A POWDER AEROSOL

I hereby certify that:

- ☒ Fee Transmittal for FY 2006 (1 page in duplicate);
- ☒ Letter to Patent Office Regarding Declaration (2 pages);
- ☒ Declaration for Utility or Design Patent Application (37 CFR 1.63) (4 pages);
- ☒ Certificate of Mailing by Express Mail (1 page);
- ☒ Stamped, pre-addressed postcard; and
- ☒ Authorization to charge fees due, or credit any overpayment, to Deposit Account No. 50-1662,

are being mailed by U.S. Postal Service Express Mail to Addressee to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 28th day of November, 2006.

M. Sue Clements  
 (Typed or Printed Name of Person Mailing Correspondence)

  
 (Signature of Person Mailing Correspondence)

EV 785818110 US  
 ("Express Mail" Mailing Label Number)